



March 4, 2021

Dear Club Licensees,

As you are likely aware, the State of New Mexico has implemented the “Red to Green” re-opening framework with the recent addition of the “Turquoise” level. This county-based framework generally allows more openings and less restrictions in counties that meet certain gating criteria (e.g., lower case rates and test positivity rates).

Recently, you may have received a letter from the New Mexico Gaming Control Board allowing clubs that are licensed by the Gaming Control to resume gaming operations, with certain restrictions. Since then, we have learned of some confusion about the latest Public Health Order (PHO) and alcohol sales vs gaming operations at clubs.

After consulting with the Gaming Control Board and the Governor’s staff, we would like to provide the following guidance to your club operations.

Gaming Operations

For purposes of a club’s gaming operations, the operative definition in the latest PHO dated February 24, 2021, is the “catch-all” definition stating “any entity not identified above may operate but may not exceed ____% of the maximum occupancy of any enclosed space on the premises, as determined by the relevant fire marshal or fire department. Further, such entities may operate up to ____% capacity of any outdoor space on the premises.”

For clubs in the “turquoise” counties, gaming operations are limited to 75% occupancy within the segregated gaming operation area so long as the clubs comply with all Covid-safe practices for casinos and all application social distancing requirements, which may be found here: <https://cv.nmhealth.org/covid-safe-practices/>. For clubs in “green” counties, gaming operations are limited to 50% occupancy within the gaming operations area. For clubs in “yellow” counties, gaming operations are limited to 33% occupancy. For clubs in “red” counties, gaming operations are limited to 25% occupancy.

Alcohol Service

For the Club’s alcohol service, the operative definition within the PHO is for “Bars and Clubs.” Accordingly, only clubs which are located in “turquoise” counties are allowed to open up to 33% indoor occupancy and 75% outdoor capacity so long as they follow all Covid-safe practices issued for “food and drink establishments.”

Most clubs’ licensed premises are for indoor service. If you do not currently have outdoor capacity and would like to temporarily expand your outdoor service area, please contact our office to apply for a no cost temporary extension of licensed premises, which is also provided for on the first page of the ABC website.

Clubs in “green” counties may operate their bars at 25% of outdoor alcohol capacity with no indoor service, except for allowance for limited restroom service. Clubs in “yellow” or “red” counties cannot open for indoor or outdoor alcohol service.



Currently Harding, Union, Sierra and Catron counties are in the “turquoise.” Los Alamos, De Baca, Taos, Torrance, Mora and Quay are in the “green.” All other counties are in the “yellow” or “red” and, therefore, clubs in those counties may not open their bar areas for indoor or outdoor service.

If you are open for gaming or alcohol service, please remember that having members sign into the establishment is imperative for capacity enforcement and contact tracing purposes. We have posted the latest PHO and the County list on our website at rld.state.nm.us.

Please do not hesitate to contact us if you have any questions or concerns.

All the best,



Andrew Vallejos
Director, Alcoholic Beverage Control

